

TOWN ASSEMBLY OF THE VILLAGE OF ARDEN JUNE 27 1994 AT 7:30 PM TOOK

PLACE AT THE GILD HALL ARDEN

Those present were:

Peter Renzetti	Lee Starr	Wayne Smith nv
Sally Hamburger	Cathy Weaver	Betsy Wenny
Teren Gordon nv	Sharon Kleban	Aaron Hamburger
	Richard Bloom	Rae Gerstine
Larry Strange	Allan Kleban	Bunnie Hurlong
Marjorie Mabrey	Edmond Hurlong	Ron Peters
Rich Von Stetton	Rodney Jester	Mark Taylor
Sally Thurston	Lynne Svenning	Eugene Shaw
Linda Eaton	Mike Curtis	A. Barnes King
Yvonne King	Leon Tanzer	Lew Aumack
Bernie Brachman	Helen Macklem	Skip Salkeld
Jean Brachman	Finn Hannover	Marianne Cinaglia
Barbara Fenske	Teri Tremel	Sadie Somerville
Judy Butler	Eliot Levin	Brooke Bovard
Paul Thompson	Debbie Theis	Dale Levin
Pat Liberman	Elizabeth Varley	Elaine Schmerling
Beverly Gladstone	Peggy Aumack	Cy Liberman
Ruth Panella	Carol Stanger	Larry Walker
Connee McKinney	Carl Falco	Holly Aumack
Bonnie Burslem	Thomas Colgan	Tim Colgan
Chris Demsey	John Demsey	John Demsey
Jim Parks nv	Steven Threefoot	Jannie Stearns

Agenda Clarification:

Teren Gordon, from Delaware Solid Waste gave some information on the re-cycling program for Delaware and gave a Citizen's Response Line 1-800-404-7080 and encourages residents to call with problems and ideas. Ms. Gordon explained that although curb-side pick-up is desirable, the costs are much higher than a center. Some statistics on the amounts of materials are attached to these minutes.

Approval of March Town Minutes: minutes were approved

Communications: none





# Recycle Delaware

*Volunteers for the Environment*



## YES

## PREPARATION

## NO

### GLASS

Food & Beverage Containers  
Clear Glass, Brown Glass,  
Green Glass

- ✓ Rinse lightly.
- ✓ Remove lids.  
Label and ring may stay on.

## NO

Window glass, mirrors,  
ceramics, crystal,  
fluorescent bulbs,  
light bulbs, Corning Ware

### NARROW NECK PLASTIC BOTTLES

Milk jugs, soda bottles,  
laundry detergent, salad  
dressing, cooking oil,  
shampoo, cleaning bottles

- ✓ Rinse lightly.
- ✓ Remove lids & crush  
Label and ring may stay on.

## NO

Plastic Bags, margarine or yogurt  
containers, plastic trays, toys,  
cups, styrofoam, or motor oil,  
pesticide or solvent containers

### CANS

Aluminum, Steel & Tin  
Soda, vegetable, soup,  
pet food (rinse well)

- ✓ Rinse lightly.
- ✓ Crush if possible  
Label may stay on.

## NO

Foil or pie trays, paint cans,  
propane cylinders, siding,  
beach and lawn chairs

### NEWSPAPERS

Magazines, Phone Books  
Newspaper Inserts,  
Paperback Books

- ✓ Place in paper bag  
or drop in loose.  
Inserts may stay in.

## NO

Plastic bags or wrappers,  
cardboard, cereal boxes,  
tissue boxes, junk mail,  
office papers, hard cover books

### BATTERIES

Small Household  
Button (Watch, Camera,  
Hearing Aid)

- ✓ Drop in special bin  
mounted on side of  
brown igloo.

## NO

Car, motorcycle, truck  
or lantern batteries

### MOTOR OIL

(Call DSWA for locations)

- ✓ Pour in drain of oil igloo.
- ✓ Dispose of unwanted  
containers in receptacle.

## NO

Kerosene, gasoline and  
oil mixture, paint thinners or  
solvents, anti-freeze

## A DELAWARE SOLID WASTE AUTHORITY PROGRAM



**Citizens' Response Line**

**1 800-404-7080**




Irene

TO: Town Assembly of Arden  
RE: Trustees' Report  
DATE: June 27, 1994

- 1) Our new method of reporting expenditures, receipts, and bank balances has been de-bugged and, it is to be hoped, will be informative and useful to all. We respectfully request that committee chairs check the line items for which they are responsible and bring any errors to our attention.
- 2) The "General Fund Balance", or Reserve as it is frequently called was \$85,637 as of March 24, 1994, the end of our fiscal year. While this may seem high, it should be considered in the general context of our projected expenditures. Some interesting figures are as follows:
  - a) Total budgeted funds are \$301,210, a new record to which we did not necessarily aspire.
  - b) Taxes due on September 30, while not as high as the \$193,000 shown by the Budget Committee, due to a lower than expected school tax increase, will probably be in the neighborhood of \$175,000. Property taxes account for about 29%, while the school portion is about 71%.
- 3) Bank of Delaware has been merged into PNC, and is now called PNC Bank, Delaware. Our current investments consist of a \$150,000 CD in that institution and \$40,000 in Arden Building and Loan Shares.

Respectfully submitted,  
Trustees of Arden

  
Shaul Gladstone  
Sr. Trustee

Report accepted  
SG/kmb

cc: Irene O'Connor  
Rae Gerstine  
Marianne Cinaglia  
Gail Rinehart



VILLAGE OF ARDEN  
EXPENDITURES AGAINST BUDGET - 3/25/94 TO 5/31/94  
PRESENTED TO TOWN MEETING ON 6/27/94

BUDGET ITEM	BUDGETED AMOUNT	EXPENDITURES F.Y. TO DATE	EXPENDITURES SINCE LAST REPO
<u>COMMITTEES:</u>			
ARCHIVES	2,000	793.49	793.49
BUZZ WARE VILLAGE CENTER	1,325	852.75	852.75
<u>CIVIC:</u>			
COMMONS & FORESTS	16,000	2,253.33	2,253.33
ROADS	13,000	335.06	335.06
SPECIAL CLEAN-UP	2,000	-	-
TRASH COLLECTION	33,000	5,157.80	5,157.80
COMMUNITY PLANNING	800	33.56	33.56
LEGISLATIVE REFERENCE	250	-	-
PLAYGROUND	2,900	77.52	77.52
REGISTRATION	1,950	372.60	372.60
<u>SAFETY:</u>			
GENERAL	1,160	42.80	42.80
TOWN WATCH COORDINATOR	1,800	300.00	300.00
TRAFFIC LIGHT	600	-	-
WELCOME HITHER	250	-	-
<u>SALARIES:</u>			
ASSEMBLY SECRETARY	4,265	711.40	711.40
ASSEMBLY TREASURER	1,835	306.00	306.00
<u>OTHER LINE ITEMS:</u>			
CONTINGENCIES	2,000	-	-
<u>DONATIONS:</u>			
ACRA	500	500.00	500.00
ARDEN LIBRARY	300	300.00	300.00
ARDEN PAGE	400	400.00	400.00
FIRE COMPANIES	850	850.00	850.00
GILD HALL RENTAL	550	550.00	550.00
<u>TAXES:</u>			
NEW CASTLE COUNTY PROP.	51,500	-	-
SCHOOL	141,300	-	-
TELEPHONE	175	31.71	31.71
<u>ADMINISTRATIVE:</u>			
AUDITING	2,500	-	-
INSURANCE	4,800	-	-
LEGAL	1,000	180.00	180.00
OFFICE RENT	2,100	350.00	350.00
MISCELLANEOUS	124	116.09	116.09
PAYROLL TAXES	1,600	504.69	504.69
SALARY, ADMIN. ASST.	6,360	1,060.00	1,060.00
SALARY, SECRETARY	2,016	336.00	336.00
TOTAL	\$301,210	\$ 16,414.80	\$ 16,414.80

(NOTE: PERIOD COVERED IS FROM FIRST DAY OF FISCAL YEAR TO LAST DAY OF THE MONTH PRECEDING THE APPLICABLE TOWN MEETING).

SIGNED: TRUSTEE

*Shaul Glattstein*

ADMIN. ASS'T.

*Rae H. Gerstein*

VILLAGE OF ARDEN  
 RECEIPTS & BANK BALANCES - 3/25/94 TO 5/31/94  
 PRESENTED TO TOWN MEETING ON 6/27/94

BALANCE IN BANK MARCH 25, 1994 \$222,558.95

RECEIPTS:

ACCRUED TAXES	<u>184.64</u>
INTEREST & DIVIDENDS	<u>475.35</u>
<u>LAND RENT:</u>	
FISCAL YEARS, PAST	<u>1,339.03</u>
FISCAL YEAR, PRESENT	<u>62,138.72</u>
FISCAL YEARS, FUTURE	<u>-</u>
LATE PAYMENT INTEREST	<u>-</u>
POND LANE RENT	<u>-</u>
MEMORIAL GARDEN DONATIONS	<u>35.00</u>
MISCELLANEOUS	<u>518.00</u>
<u>RIGHTS OF WAY:</u>	
CABLE TV	<u>1,132.90</u>
ROADS	<u>2,811.37</u>

SUBTOTAL 68,635.01

INVESTMENTS, REDEEMED	+ <u>-</u>
INVESTMENTS, NEW	<u>- 150,000.00</u>

TOTAL RECEIPTS (81,364.99)

RECEIPTS + STARTING BANK BALANCE	<u>141,193.96</u>
EXPENDITURES AGAINST BUDGET	<u>- 16,414.80</u>

BALANCE IN BANK AS OF 5/31/94 \$124,779.16

INVESTMENT POSITION:

ARDEN BUILDING & LOAN	<u>40,000.00</u>
BANK BALANCE	<u>150,000.00</u>
OTHER	<u>-</u>

TOTAL 190,000.00

SIGNED: TRUSTEE Shaul Gladstone; ADMIN. ASS'T. Jac H. Gerstine

Advisory Committee Report for the Arden Town Meeting

June 27, 1994

The advisory Committee meeting of June 6, 1994, was preceded by the second annual covered-dish dinner for chairpersons and members of Arden's standing committees, town officers and the Board of Trustees. The dinner provided an opportunity to recognize newly elected officials and committee members, and to acknowledge the on-going work of all the volunteers in our town government.

At the Advisory Committee meeting, two resignations from standing committees were announced: Bess Southwell of Registration Committee and Jannie Stearns of Playground Committee. Registration Committee would like to nominate Cynthia Houck to take Bess Southwell's place, and the Playground Committee would like to nominate Larry Walker to take Jannie Stearn's place.

Committee chairpersons were reminded that official notice of each committee's meeting should be posted well in advance on the three town bulletin boards.

Respectfully submitted,

Judy Butler

The two nominations were accepted, no further nominees were heard and Cynthia Houck was elected to the Registration Committee and Larry Walker was elected to the Playground Committee.

Report accepted



**BOARD OF ASSESSORS  
VILLAGE OF ARDEN**

REPORT TO TOWN ASSEMBLY, JUNE 27, 1994  
FOR LAND RENT DUE MARCH 25, 1995

SECTION I

The Board of Assessors has the responsibility of fixing the rates to be used in determining "the full rental value" which each Arden leaseholder pays for the use of land under the terms of the lease. In filling that responsibility the board has used the method developed and used during the 1980's by previous Boards of Assessors. This includes the use of a formula to set the "full rental value" of all of the lands of the Arden Trust, and the use of a set of rates to assign to each leasehold a share of the total.

In using this well-accepted method we are mindful that Henry George, father of the Single Tax movement, wrote:

The tax upon land values falls only upon those who receive from society a peculiar and valuable benefit and upon them in proportion to the benefit they receive.

We have tried, in fixing the various rates and location factors, to be conscious of the benefits being received (or in some cases injuries being suffered) by the leaseholders.

We also agree that land value is a creation of the community and that rents must be collected for the use of the community, and in sufficient quantity to satisfy the needs of the community. We note that a former trustee stated that one yard stick for determining rental values is our "community standard of living;" we believe that standard is set in the annual referendum on the village expenditures.

The full rental value has three elements:

1. The amount required to pay the county and school taxes levied on the Trust by outside taxing authorities.
2. The amount required to maintain the community standard of living as indicated by recent referenda.



3. The amount needed to maintain a prudent reserve to insure the community freedom in considering the next referendum on community expenditures.

After determining the full rental value of all the lands of the Trust (which are limited to the leaseholds of Arden), the assessors turn to the relative values of individual leaseholds based upon size and other considerations. Those values are affected by the general location of the leasehold in Arden, by the size of the lot, by the uses permitted on the leasehold, and by certain specific location factors. We have set a General Location Rate, a Lot size Adjustment Rate, a Multiple Dwelling Rate, a Commercial Rate and a set of specific location factors.

In reviewing the "prudent reserve" in the formula, the Assessors decided to calculate it as a proportion of total expenditures as was done in recent years. For the current calculation the reserve was computed at one-third of the year's expenditures. Expressed in another way, one-third of expenditures provides enough to cover four months of average expenses for the twelve month fiscal year.

The Assessors determined that the full rental value of the lands of the Arden Trust is \$307,000 (see Section II below), which is approximately 7 percent higher than last year's value. That change was applied uniformly to the General Location Rate, the Multiple Dwelling Rate, and the Lot Size Adjustment Rate.

The General Location Rate, called Rate A, reflects a value all leaseholds share. This value is derived from being located in a fully developed village with an active community life and with many facilities and services available to all. These include paved roads, sanitary sewers, our greens and forests, public utilities, trash collection service and the Village Center.

The Multiple Dwelling Rate, called Rate B, reflects the added value of those privileged use leaseholds which are permitted to accommodate -- with or without legal standing with New Castle County -- more than one dwelling unit on each leasehold. In applying this rate, we define a dwelling unit as an independent living facility for one or more persons, containing permanent cooking facilities (not a hot plate) and other permanent facilities for living, sleeping, eating and sanitation. Existence of a kitchen is an essential ingredient of a dwelling unit.

The Lot Size Adjustment Rate, called Rate C, reflects the fact that large lots have less rental value per 1,000 square feet than

smaller lots. This fact was derived from a 1971 study of lot values updated by a 1987 professional appraisal and a separate study of market values. This rate further reflects the fact that most Arden lots are restricted to being the site of a single dwelling. The portion of the lot that accommodates that dwelling is more valuable than any portion of the leasehold that exceeds the minimum area required for one dwelling.

The Commercial Rate, called the Rate D, reflects the added value of a leasehold permitted to accommodate commercial as opposed to residential use. This rate currently applies only to Lot #88.

The Specific Location Factors make adjustments to appropriate leasehold rental values in accordance with uniformly applicable rules.

## SECTION II

The computation of full rental value of the Arden Trust lands for 1994-1995 is as follows:

1. A: The amount needed for the county tax (est.)	\$ 50,000
B: The amount needed for the school tax (est.)	136,000
C The forecasted amount needed for administration of the Trust	21,000
D: The forecasted amount needed for community standard of living	88,000
	-----
TOTAL ITEM 1 - FORCASTED EXPENDITURES	\$ 295,000
2. The amount needed to maintain a prudent reserve of \$ 98,000 (1/3 of the Total of Item 1) less \$ 86,000 available from 1994-1995	12,000
	-----
FULL RENTAL VALUE	\$ 307,000



The 1995-1996 Fiscal Year Rental Rates  
(year beginning March 25, 1995)

General Location Rates

Rate A: \$122 per 1,000 square feet, applied to the first 6,500 square feet of each leasehold.

Rate B: \$96 per 1,000 square feet. For each dwelling unit in addition to the first the leasehold is charged rent for 6,500 square feet at this rate, but is not charged for more than the actual area of the leasehold.

Rate C: \$50 per 1,000 square feet. This rate is applied to that area of a leasehold in excess of the area charged the A and B rates.

Rate D: A surcharge of 75% of the total area of the leasehold multiplied by Rate C with no deduction for frontage on Marsh Road.

Specific Location Rates (or Factors)

- |   |       |
|---|-------|
| 1. Leaseholds adjacent to Arden or Sherwood Forests:                              | + 10% |
| 2. Leaseholds fronting on Arden or Sherwood Forest by<br>being across the street: | + 5%  |
| 3. Leaseholds adjacent to or fronting on a communal green:                        | + 5%  |
| 4. Leaseholds adjacent to Harvey Road or Marsh Road:                              | - 5%  |

Notes

1. The specific location factor charges (in dollars) to be added or subtracted from the sum of the A, B and C charges are obtained by multiplying the area of the leasehold by Rate C and then by the appropriate specific location factors as given above.
2. A corrected forest or greens factor charge for a leasehold which has only a part of one side adjacent to or fronting on a forest or green shall be defined by multiplying the basic factor charge by the ratio of the actual fronting or adjacent footage to the total footage of that side of the leasehold.



## Rent Collection

The Trustees are requested to collect, by using the prescribed rates, the following approximate amounts:

From the general location rates:	\$ 293,000
From the specific location rates:	6,000
	<hr/>
Total Land Rent	\$ 299,000
Revenue from fines and other sources:	8,000
	<hr/>
TOTAL RENTAL VALUE	\$ 307,000

Sample rent calculations are appended to this report.

## Timing and the "Prudent Reserve"

The land rent rates the Assessors have decided on now, in June 1994, will go into effect, if unchallenged, in the land rent bills sent out early next year for payment March 25, 1995. Meanwhile, Arden residents will have approved a new budget in the fall of 1994 and may set a new "community standard of living" which cannot be reflected in land rent rates until the next Board of Assessors do their work.

The existence of the "prudent reserve" gives the residents of Arden freedom to use their judgement in funding projects for the next fiscal year. In addition, it provides funds for payment of increased external obligations, a good example of which is the school tax increase which will be due this September.

### SAMPLES OF BASE RENTALS

<u>Lot Size (sq. ft.)</u>	
10,000	\$ 968.00
10,890 (1/4 acre)	1,012.50
20,000	1,468.00
30,000	1,968.00
40,000	2,468.00
43,500 ( 1 acre )	2,643.00

### EXAMPLES OF RENT CALCULATION

1. A 20,000 sq. ft. lot containing one dwelling unit, fronting on Village Green, adjacent to Arden Forest:
 

6,500 sq. ft. X \$122/M sq. ft.	\$ 793.00
13,500 sq. ft. X \$50/M sq. ft.	<u>675.00</u>
Base Rent	\$1,468.00
Forest Factor -	
20,000 sq. ft. X \$50/M sq. ft. X 10%	100.00
Greens Factor -	
20,000 sq. ft. X \$50/M sq. ft. X 5%	<u>50.00</u>
Total Rent	\$1,618.00
  
2. A 30,000 sq. ft. lot containing three dwelling unit and adjacent to Arden Forest:
 

6,500 sq. ft. X \$122/M sq. ft.	\$ 793.00
6,500 sq. ft. X 2 X \$96/M sq. ft.	1,248.00
10,500 sq. ft. X \$50/M sq. ft.	<u>525.00</u>
Base Rent	\$2566.00
Forest Factor -	
30,000 sq. ft. X \$50/M sq. ft. X 10%	<u>150.00</u>
Total Rent	\$2,716.00
  
3. A 30,000 sq. ft. lot containing one dwelling unit with 75 feet of a 100 foot side fronting on Village Green:
 

6,500 sq. ft. X \$122/M sq. ft.	\$ 793.00
23,500 sq. ft. X \$50/M sq. ft.	<u>1,175.00</u>
Base Rent	\$1,968.00
Green Factor -	
30,000 sq. ft. X \$50/M sq. ft. X 75/100 X 5%	<u>56.25</u>
Total Rent	\$2,024.25

THE 1993 BOARD OF ASSESSORS

Samuel L. Bean / asst.  
Samuel L. Bean

Bernard Brachman  
Bernard Brachman

Carl Falco  
Carl Falco

Aaron S. Hamburger  
Aaron S. Hamburger, Chair

Cy Liberman  
Cy Liberman, Secretary

Peter D. Renzetti  
Peter Renzetti

Eugene S. Shaw  
Eugene S. Shaw



NOTE:

The signatures of the Board of Assessors for 1993, are on the previous page. Quoting from "An act to reincorporate the Village of Arden", the oath the Assessors must take is as follows:

(d) The Assessors shall, before assuming office, take an oath of office before any person qualified under the Laws of the State of Delaware, to administer oaths, which oath shall be in the following form: "I ----- do solemnly swear (or affirm) that I will faithfully perform and discharge my duties as Assessor of Arden to the best of my ability and that I will as nearly as possible assess the full rental value for Arden lands as required by the Deed of Trust and the Leases of Arden."

(e) The assessment rate determined by the Board for the assessment of Arden lands shall be final and conclusive, provided that any leaseholder of the Village shall have the right to appeal such determination by submitting a proposed assessment rate to the Town Assembly at its regular September meeting. In the event that such proposed rate shall receive the affirmative vote of two-thirds of the residents voting at such meeting, such proposed rate and the rate determined by the Board shall both be submitted to a general referendum of the residents of the Village. The referendum shall be conducted by the Registration Committee. The rate approved by a majority of residents shall be the rate in effect until redetermined in the manner herein provided. (end of quotation)

Report acceptedCOMMUNITY PLANNING:

## A: Visual Preference Survey

## 1. Commissioned by WILMAPCO

(a) Wilmington Metropolitan Area Planning Coordination Council for New Castle County, Delaware and Cecil County MD.

WILMAPCO is a Federally funded organization in areas containing 5000,000 population.

2. The survey is a tool for engaging the public in the process of transportation and land use planning. WILMAPCO is looking for at least 1000 responses.

B: Presenter Edith Carlson - WILMAPCO volunteer involved with Northern Delaware Greenway Council.

The Town Assembly then began the survey, and after the survey reports were collected the Town Assembly continued with the usual business.

## Arden Community Planning Committee report to June 27, 1994 Arden Town Assembly

Since the Arden Community Planning Committee is donating it's Town Assembly floor discussion time to the WILMAPCO survey on land use in New Castle County, we have prepared this summary of the Committee's actions since January .

- The **Memorial Garden report** will appear in the July Arden Page.
- The **Old Pool Site** is on hold for now. We have not had the inspection promised by DNREC, and can go no further with our plans without it. We may schedule a Town "Walk-about" some July or August evening to be announced in a future Page.
- The **Shakespeare reading of Much Ado About Nothing** will be rescheduled for the Fall in the Buzz Ware Center after a regular Saturday night dinner.
- Any action on **enforcing parking ordinances** must be delayed until Safety Committee determines the status of the existing Ordinance 13 on both lease holder provision of adequate parking space and illegal parking. Once this is done we will offer a "friendly", informational form letter to tuck under windshield wipers of vehicles in violation of the Ordinance and to hand out to trades people who are delivering goods or services to Arden residents.
- A proposed **planting scheme** to improve the appearance of the **Buzz Ware Village Center** is in the process of development.
- We were asked to support the **Recycling Center** but feel that must be done by the sense of the Town, rather than the ACPCCommittee. Therefore we are asking you to tear off the rest of this piece of paper and indicate whether you are in favor of or opposed to retaining the current Recycling Center at the Montessori School . Please add on your reasons if you want to do so, but a simple circled, or underlined response will do for our purposes.

### REGARDING THE MONTESSORI SCHOOL RECYCLING CENTER

I WANT IT TO **STAY WHERE IT IS**  
(REASONS)

I WANT IT **MOVED SOMEWHERE ELSE**  
(REASONS)

FIVE SAID YES



## COMMUNITY PLANNING COMMITTEE

County and Local Civic Associations Update: June 27, 1994

## COUNCIL OF CIVIC ORGANIZATIONS OF BRANDYWINE HUNDRED

Zoning

Charles Salkin, the Director of DNREC had not made a decision on the Talley Day Park as the site for the Brandywine Hundred Library as of the April meeting. Because federal funds were used to develop the site, National Park Service permission is necessary to change the use of the site. Many civic groups believe that the "taking" of park land for other uses will establish an ill-advised precedent for dwindling open space in the county.

Citi-Steel and Bellvue Holding Company are proposing the development of 31 acres across from Tri-State Mall. Proposed tenants include a home improvement store, a grocery store, smaller retail stores and sit-down restaurants.

A new retail services Post Office may be located at the Fairway Park shopping center along with a Giant Food Store. The postal distribution center site is still being considered.

Slot Machines

CCOBH's position against slot machines was reaffirmed at the April 28th Quarterly Meeting.

Naaman's Road

The completion of Naaman's Road is proposed in three sections:

- 1) east of Marsh Road to Merribrook Road: Bids solicited in May, 1994.
- 2) east of Grubb Road to west of Foulk Road: Bids solicited in January, 1995.
- 3) east of Foulk Road to west of Marsh Road: unscheduled as of April, 1994.

## THE CIVIC LEAGUE OF NEW CASTLE COUNTY

Change in property tax included in 1995 budget proposal: for Arden: from 34.35 cents per \$100 assessment to 35.95 cents per \$100 Assessment.

New Castle DEPARTMENT OF PLANNING is seeking input for its 1995 COMPREHENSIVE DEVELOPMENT PLAN. Local civic associations seem to agree that much of the recommendations that were made for the last plan in the late 1980's still remain advisable. The Civic League has put together a preliminary draft of 10 comprehensive planning objectives including the recommendations that:

- "Future use of all land in this county must be planned as a single unit, regardless of municipal boundaries."
- "A cost-benefit analysis (including roads, schools, community facilities, police) should estimate as accurately as possible the costs to create a new growth area and weigh the costs against the reasonably anticipated economic benefits." If the costs are too high and the benefits too low, future development should be curbed.
- "Coordinated transportation plans (including mass transit) should be a mandatory part of land-use planning."

WILMAPCO commissioned the preparation and delivery of an intriguing method of gathering OPINIONS ABOUT LAND USE was used at the meeting. A series of 150 slides depicting different land use scenarios (including housing, shopping areas, transportation and industrial and commercial use) were presented. The members of the audience were asked to rank appropriateness of the pictured situations for urban and suburban/rural locations. This survey will be presented at the June 27 Arden Town Meeting. Members of the Ardentown and Ardencroft communities were invited to attend via the Arden Page.

New Castle County has a new "POOPER-SCOOPER" law that makes pet owners responsible for pet dog or cat droppings in streets, parks or someone else's property.



## PROPOSED COUNTY ORDINANCES

Ordinance 94-124, concerning the Board of Adjustment, was introduced on June 14 and will have a public hearing on July 5 at 8 PM. This ordinance DELETES the provision that says the Board cannot grant applications contrary to EXISTING VALID DEED RESTRICTIONS. The Civic League has distributed recommended wording for resolutions against Ordinance 94-124 (see below).

Ordinance 94-066, concerns allowing large older homes to be used for office purposes by special exception from the Board of Adjustments without application for rezoning. The Civic League believes that application for rezoning is essential and recommends denial of Ordinance 94-066.

Proposed Delaware legislation would authorize PUBLIC-PRIVATE PARTNERSHIPS IN THE AREA OF TRANSPORTATION PROJECTS. Partnerships like these could be used to speed up the completion of the US 13 relief route, a rail terminal for the Metroform area and a rail/trolley line from Lewis to Fenwick Island.

## RESOLUTION AGAINST ORDINANCE 94-124

Whereas, many residential developments and commercial and industrial areas of New Castle County were developed with deed restrictions limiting uses permitted in those developments and areas, and

Whereas, a developer's agreement to deed restrictions often makes a rezoning easier to obtain, and

Whereas, people of New Castle County expect those commitments to be honored by all county government agencies, and

Whereas, a provision in County Code, Section 23-85(9), about powers of the Board of Adjustment forbids this Board to grant any applications which are contrary to existing valid deed restrictions, and

Whereas, Ordinance No. 94-124, introduced on June 14, 1994, would DELETE Section 23-85(9) from the Code, thus allowing the Board of Adjustment to grant applications that are contrary to existing valid deed restriction, and to ignore past commitments embodied in these deed restrictions,

THEREFORE, BE IT RESOLVED THAT (group or individual name) actively oppose passage of Ordinance 94-124 as bad public policy unless the part deleting Section 23-85(9) is removed from the ordinance, and

BE IT FURTHER RESOLVED THAT (group or individual name) ask the Planning Board and County Council to vote against Ordinance 94-124 unless the part deleting Section 23-89(9) is removed from the ordinance.

Marianne Cinaglia  
6/27/94

## SAFETY REPORT: PETE RENZETTI

## Issue - Parking on the right-of-way Ordinance 13

We have been wrestling with the issues of parking on the right-of-way, on the streets and greens, and continual overnight parking off the leasehold. Ordinance 13 addresses the provision of parking spaces on the leasehold, but does not properly provide for restriction of parking off the leasehold.

We have received a letter from Pam Price to Wayne Smith re: enforcing parking ordinances in the Village of Arden. Our ordinance must have the same language as the Delaware Code to have it enforced by State or County Police, fines and costs would go to the state.

We have tried a number of more passive methods i.e. the "Arden ticket" (notices of violation warnings) talking directly to the people, etc with moderate to little results.

We must have an ordinance to address the safety and courtesy issues of parking off the leasehold and ask the Towns sense of an ordinance covering issues of parking (ordinance # 14)

We have a number of complaints of speeding on the Highway from Sherwood to Gild Hall, and suggest considering a stop sign at the corner of Sherwood at the Highway, or speed bumps on the Highway itself.

We suggest a sign on the Highway approaching the traffic light "no parking here to corner" to prevent people from obstructing the trip wires in the road surface.

We will notify residents to trim overgrowth obstructing stop and other road signs in the the Village with a 2 week limit from notice or we will have the trimming done.

Safety then asked the Town Assembly for a sense of the Safety Committees request to work on writing a new ordinance to address the parking problem off the leaseholds, the sense of the Town Assembly was that the Safety Committee should present the proposed "ordinance # 14" at September Town Assembly. Concerning any more signs regarding "No Parking" or painting the curbstones yellow to prevent parking, no decision was made.

The speed-humps will be addressed by the Civic Committee and they will do a survey of residents on Sherwood and present the results at September Town Assembly.

Report accepted

(copy of letter from Pam Price attached to minutes)





HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE 19903

M E M O R A N D U M

TO: Rep. Wayne Smith  
FROM: Pam Price  
DATE: 6/7/94  
RE: Enforcing Parking Ordinances in the Town of Arden

In order for the Town of Arden to have their parking ordinances enforced they can do one of two things. First they can rewrite their ordinances identical to those found in the Delaware code, specifically, Title 21, chapter 41, section 4178 relating to vehicles prohibited from stopping standing or parking. By doing this the Town can then call either the County or State police for enforcement. According to Michael Mitchell, attorney for New Castle County, the violations would then be of the State's parking laws and all fines would go to the state of Delaware.

The other option is to have the Town of Arden hire a constable to enforce their own parking ordinances. Any citation by the town constable would be heard in the Justice of the Peace Courts. The fines would go to the Town of Arden and all court costs would go to the State. According to the Deputy Chief Magistrate for New Castle County, Judge Ronald E. Cheeseman, Arden at one time had a constable to enforce their ordinances.

If you or your constituents in Arden would like to further pursue this issue you can contact Michael Mitchell at 571-7530 or Deputy Chief Magistrate Cheeseman at 577-6001 or 429-7740 (J.P. Court 18).



TOWN ASSEMBLY OF ARDEN, JUNE 28, 1994

ARDEN ARCHIVES REPORT

I think everyone here either attended or was involved in the Arden Day celebration of the dedication of the historic marker on May 21. We were very pleased with the event - the weather was perfect, the speeches short and pithy, the refreshments bountiful, and the Diamond State band festive. The final text of the marker could be revised for ever, but I hope it includes enough information about our community to whet the interest of passers-by. We were glad to be able to display the two paintings by Ruth Berger and Sue Rohrbach purchased with the Joan Ware Colgan Memorial funds. Both artists were favorites of Joan's; they also represent different eras of Arden's artistic life. We were especially pleased that so many Ardenites participated in creating this event and that so many of you turned-out to make it an old time Arden get-together. Walter Broadbent was kind enough to videotape the occasion - let me know if you would like to borrow it. Several people took photos - June Kleban, Ruth Estes & Bob Pyle - for some, and we plan to make a scrapbook with them.

We continue to work on the Archive space. Now that we can move around without falling over one another, we will be open on a regular basis. We have changed our hours to 2 - 4, Sunday afternoons to coincide with the hours of the Arden library. So make Sunday afternoon a time for visiting in Arden.

We have joined the William Morris Society in England and they send us fascinating newsletters about places to visit and special events. For instance, this month there was a journey by light skiff up the Thames from Hammersmith to Kelmscott Manor. In 1996, a centenary exhibit celebration for William Morris is planned in England and America - it will include an exhibition at the Victoria and Albert Museum. If you are planning to trip to England, you might want to check this file.



Report accepted

AUDIT: no report

BUDGET: Larry Walker

In April, the Budget Committee met to organize itself, and Larry Walker was chosen as Chairman.

The Budget Committee would like all standing committees of the Town to submit before the end of July, their budget requests for the fiscal year 1995-96, to this Committee. This will allow sufficient time for the Budget Committee to consider all the requests, and to prepare a Budget to submit to the September Town Assembly.

Our Committee would appreciate receiving a brief explanation of major items in the budget request. If there has been a major change in any budget item, there should be an explanation.

The Budget Committee would like to get the informal opinion of the Town Meeting as to the appropriateness of the amounts donated to various organizations. This will only be an indication of Town Assembly sentiment, but it will be considered by our Committee. These donated amount are fairly small, when considered against the entire Budget, but the organizations involved do play a significant role in the quality of life of the Village. Of course, the Budget Committee will contact the organization to find out what amount they would feel is needed and appropriate donation.

Report accepted

## CIVIC COMMITTEE REPORT TO ARDEN TOWN MEETING

Friday, June 17, 1994

We are moving ahead with this season's roadwork. A contract has been awarded to T. Andrews to cover 28 small to medium sized repairs. They involve everything from potholes to full width sections of roadway. They were identified in our annual spring walk-around inspection. The conditions were a good deal worse than we expected. Also, as a result of the inspection, the Committee decided that Little Lane did not need major repairs at this time. We decided that Miller Road-Walnut Lane-Lower Lane junction was much more deserving of major repair which would also include base work. Representative Smith is confident that he can arrange a DOT grant to cover it. These grants are made at the end of June. We believe it is possible to process the papers and carry out the work in this construction season.

Wayne Knotts has been awarded the contract for raising the curbstone on the green side of Cherry Lane from Miller Road to Inn Lane. He is also to extend the concrete gutter at the junction of Orleans Road and Lovers Lane about 80 feet to correct a drainage problem which has been troubling several leaseholders on the east side of Lovers Lane.



Our efforts to improve the appearance of the sweep green for the historic marker dedication read like a soap opera. At the last moment, the truck carrying fill for low spots got stuck and had to be pulled out by another vehicle. It was a mess. Even that damage was somehow covered up in time and the area ended up looking quite attractive.

Early in the spring we called New Castle County Sanitary to complain about the quality of two "temporary" patches that had been in place for two years. They promised that someone would get in touch with us. Nobody called, but two days later we noticed a crew was at work on the offending patches on Orleans Road. They did a really good job. They used concrete under blacktop to make sure there would be no more settling.

We are pleased to see the Frank Stevens Memorial Theater being put to such good use-- plays by Beckett and Shakespeare. On June 25 we have both a wedding and a performance of "Waiting For Godout". Last year's second sodding of the theater seems to have taken very well. We have trimmed dead branches and removed a dead tree. This will provide more sunlight to keep the grass in good condition.

The Civic Committee is particularly pleased with the work that Don Holcomb and grandsons have done in the memorial garden. They have lowered and graded around a number of gravestones. Some of these stones have been hit and chipped by mower blades. This also doesn't do the blades much good. Bob Osborne, our mowing contractor, really appreciates what has been done and so does the Civic Committee.

**S. Lou Bean**

Civic Committee report from Committee Member Rodney Jester:

Mr. Jester gave the Civic Committees report on the costs of having a curb side pick-up once a week, roughly \$26 a ton. This would be used for compost. He then asked for a sense of the Town Assembly as whether to continue with any more enquiries. The straw vote was 20 against a special weekly curb side pick-up and 12 for a pick-up.

Report accepted



## Buzz Ware Village Center Committee Report for June 27, 1994 Arden Town Meeting

Our committee will report tonight on programming, rental updates, building maintenance and improvements, and future directions.

### **Programming**

On Sunday, June 12, we hosted the annual Over 80s Party organized by Barbara Fenske. About 30 invited guests joined with a large crowd of their neighbors to socialize and enjoy some wonderful food. Our thanks to the Over 80s Committee: Ann Andrews, Ann Berlin, Ron Cortez, June Kleban, Betty Rupert, Jim Semenick, Jeanne Stigler, and Debbie Styles, to those who brought such delicious treats for us, and to Miriam Bloch as the oldest resident for doing the honors and cutting the cake.

The yoga group continues to meet every Monday. Please call Naomi Clark (-2608) for information.

On this coming Thursday, June 30, a "Recycle America" program will be held in room 4. The speaker will share her ideas on new ways to reuse household items which you might be throwing away. Children and adults are invited; there is no charge for this event.

ACRA's Summer Program, directed by Katie Cortez of Ardentown, started today and we welcome them to the BWVC.

Ruth Bean has asked Barbara Fenske and Debbie Styles to help out with programming. Debbie is particularly interested in starting programs for teenagers.

### **Building maintenance, improvements, custodial**

We decided to complete the security installation and digital dialing to an off-site location at a cost of about \$1200. The work is being done by Toto Electronics of Kennett Square, PA and includes low temperature sensors, horns and strobes, etc. and security monitoring. When this work is completed, we hope that the BWVC will pass an inspection up to current fire codes. The Archives will contribute funds for the work in their space, but the BWVC will pay the annual cost of \$350 for security monitoring.

The modules are now down and just a few items remain to be done. There is a small opening in the back wall that needs to be filled, WMS needs to decide about the foundation plantings that are still there. The asphalt has been patched, but some concrete still remains from the pilings. Our committee has to install a threshold at the bottom of the outside door. Overall, our committee was pleased with the demolition work that was done. Our main concern now is the broken glass by the jungle gym that was left from the demolition. The Playground Committee has removed most of it, and ACRA staff has tried to find any remaining pieces. We have asked the ACRA staff to try to keep children away from that area.

We will have new custodial service at the BWVC starting August 1. Eleanor Bratten will be giving up the position. We want to thank the Brattens for long years of exceptionally fine care of the Center. They have always done more than was ever asked of them and done it well. Their extra efforts have kept the building in good condition for 20 years. Our hope is to have the new renters handle more of their own custodial work—mainly returning the room to the condition that they found it and bagging and disposing of their trash when they leave. This seems to be agreeable to groups we have talked to thus far.

### **Short- and long-term plans**

We rented room 2 for four and one half days for a Tag Sale last week. This was a unique rental situation in that rooms 1 and 2 were completely empty and we were able to close them off for a two day set up and then two day sale. We charged \$500 for that rental.

The Delaware Theater Company will be renting room 2 from August 6 to August 26 from 9 am-4 pm for a Theatre Arts Summer Day Camp. The camp is for children ages 7-13; the camp also has a Counselor-in-Training Program for teens ages 14-16. The Delaware Theater Company is offering 2 full scholarships to children from the 3 Ardens for the 3-week program.



Charles Conway, Educational Outreach Coordinator at DTC is the contact person for this program. We encourage parents to look into this program for their children; DTC has been running a summer camp at Sanford school for eleven years.

The Brandywine YMCA has agreed to rent room 3 from August 20, 1994 to June 20, 1995 for an afterschool program for elementary school children which will run 3 hours per day from 3 pm-6 pm, Monday through Friday. The children arrive by van or bus from the area schools. This Schools Out Program is coordinated by Bethanne Keeley and overseen by John Williams, Senior Child Development Director at the YMCA. We hope that during this trial period, we will have a chance to see if it is a good arrangement for the town and for the YMCA. To help them with their licensing requirements, we have replaced the single hole sink in room 3 for a triple hole stainless steel sink; we will have to have the building checked and passed for fire inspection. Fortunately, the sink we needed was salvaged from the modules along with a very fine counter top. Thanks to John Bratten and Mark Taylor for quick work on salvaging the sink. The Y is also offering Schools Out scholarships for Arden children and they will review applications on a first-come first-served basis.

The installation of the new security and fire alarm system and off-site monitoring was very important in the Y's favorable decision about the BWVC. Our thanks John Demsey on our committee for advocating so strongly for this installation and upgrade to the system.

We have had several serious inquiries from small daycare centers about renting rooms 1 and 2. One small daycare has submitted a proposal. At this point, both programs agree on our rental rates. Although we are sure that there is a need for daycare by Arden residents and residents nearby, year-found, full-day daycare poses some difficult problems for our committee. We are asking the Town Assembly this evening for a "sense of the meeting" on three issues.

One is the possible installation of a fenced area to meet the state daycare requirement for children 5 and under to have an outdoor playground that is a partially shaded with 4' high fencing, 50 square feet per child or approximately 24 x 24 square feet for 10 children. The area that looks the most promising for an fenced playground would be the area to the left of the front door of the BWVC. There are some small trees there and some very sad looking hews that we could remove. We have asked the Playground Committee chairperson to see if there might be a better site. The playground initially might consist of simply a fence and mulch with removable toddler size climbers and such. At this time, we do not know the cost. Does the Town Assembly want us to pursue our search for a possible site to meet this daycare requirement?

The second difficult issue is how to run the 5-week ACRA summer program simultaneously with a year-round daycare. Our committee has formed an ad-hoc committee with Tim Colgan, a current ACRA board member, and Cecilia Vore, past chairperson of ACRA, to see if we can generate any creative solutions. Also Ruth Bean on our committee is very knowledgeable about the needs of a daycare center. If it is not possible to run the programs simultaneously then that will be settled and we will look for other types of renters. Does the Town Assembly agree that our committee should see if it is possible to rent to a full-year small daycare in rooms 1 and 2 and run the ACRA program?

Thirdly, both daycare prospects would like a 5-year lease for rooms 1 and 2. At this time, our committee does not want to grant a 5-year lease, but is asking for a 1-year trial period with the option of a longer lease at the end of the year. Does the Town Assembly agree with our committee on asking for a one year trial period first?

We very much want to have a rental in rooms 1 & 2 by September. To that end, we have developed a rental agreement which is very basic. All rental arrangements are based on multiple uses of all the rooms so that no renter will have exclusive use of any room. We want a few steady renters to meet a majority of our expenses and then we can fill out our own programming or additional rentals, particularly adult enrichment classes into the open times.



We feel that if we are renting this as "flexible" space for no longer than one year this first year out, we can line up rentals without coming to Town Assembly for approval of the agreements. Essentially we are trying to respond to the ideas expressed in the survey for a broader uses of the building. We would like to have a year to try this out.

### **Survey**

We do not have the handouts of the survey results for this Town Meeting. The results are tabulated: we haven't had time to condense it down to page or two. Our hope is to get the results to the residents by September.

### **Current use**

Since the September Town Meeting, there have been 16 committee meetings, 4 community events, and 18 classes, and 18 rehearsals held at the BWVC. Please call Ruth Bean ahead of time to schedule your meeting or event. A monthly calendar of scheduled events is posted on the bulletin board at the BWVC.

Thank you for your continued support.

Respectfully submitted,  
Connee Wright McKinney, Chairperson

The response from Town Assembly for a "sense of the meeting" on the three issues: installation of a fenced area to meet the state daycare requirements 50 square feet per child or approx 24 x 24 square for 10 children - "does the Town Assembly want us to pursue our search for a possible site to meet this day care requirement?"

"does the the Town Assembly agree that our committee should see if it possible to rent to a full-time small daycare in rooms 1 and 2 and run the ACRA program?"

"does the Town Assembly agree with our committee on asking for a one year trial period first?" The sense of the meeting was yes to all three issues.

Report accepted



LEGISLATIVE REFERENCE: Yvonne King

The Legislative Committee continues its work on codifying Arden's Rules and Regulations.

While much of the work is done there is more to do before the task is complete.

The committee is also working with its members on becoming more familiar with Roberts Rules, to assist the Town Assembly to run smoothly.

By September Town Assembly we hope to have most this work done.

Our next meeting will be on July 11 and August 8 at 8 PM at the BWVC.

Report acceptedPLAYGROUND COMMITTEE: Richard Bloom

1. Playground Committee has met monthly with inspection of all equipment
  2. We are currently replacing all swing chains showing rust and all "S" hooks if they show any appreciable wear. Bolts were replaced on the horses on the Green as some were missing and the rest rusted. Sue Rothrock has agreed to touch up the paint on them.
  3. The tunnels at the BWVC playground were repainted with the primary colors, red, blue or yellow on the outside matched with another primary color on the inside. The tunnel rim color was obtained by adding an equal volume of its outer color with its inner color giving the secondary color. We hope that this will develop a bit of color appreciation.
  4. The new basketball backboard and standard have been ordered and a contractor hired to install them. Improvements to the blacktop under the removed modules is being evaluated.
- \* Basketball backstop and standard - ordered from General Recreation Inc. with a six foot offset post to match the one currently in use. Cost of \$1,435.00.
- Knotts construction will install with three by five foot by five foot footing, setting the post, pouring concrete, and assembling backboard. Cost \$700.00.

Report acceptedREGISTRATION COMMITTEE: Elizabeth Varley

The 1994 Registration Committee was convened by Sally Hamburger. At that meeting the committee accepted the resignation of Bess Southwell. Cynthia Houck, the alternate, agreed to serve. Elizabeth Varley was elected Chair. The rest of the evening was spent discussing the duties of the committee with new members.

The number of eligible voters as of June 27, 1994 is 394.

Report accepted

Old business - none

New business - none

Marianne Cinaglia: Move that the Town Assembly endorse against the Ordinance 94-124 (see bottom of report of representative for CCOBH)

Respectfully submitted: Irene O'Connor Town Assembly Secretary *Irene O'Connor*